

# UNDERSTANDING THE EVICTION PROCESS

## Evictions:

All evictions must begin with a NOTICE. There are several types of notices to choose from. You may not always be able to use the quickest notice available. You must choose one that applies to the situation. There are separate notices for manufactured homes and non-manufactured homes.

A standard eviction can cost \$100 - \$120 from start to finish. Evictions take 10-180 days depending on the type of notice served.

### Foreclosure:

*NO* notices available for this process. A foreclosure requires you going to Justice Court and filing a **FORMAL CIVIL COMPLAINT**. Constable's office does *NOT* have forms available for this process.

### *What happens next?*

Our office will serve the notice. You will call the number on the top of your receipt to find out when you can come back to continue with the eviction.

When you return to our office, you will be handed the actual notice and instructed to take it to Justice Court to file for the Summary Eviction. Court requires that their paperwork be typed- or printed clearly -Justice Court's filing fee is \$46.00. After filing with the court, you will be handed an Instruction Sheet. You are to bring the Instructions back to the Constable's and will need to pay Lock-Out fees (\$42.00 plus \$4.00/mile). If you choose not to continue with eviction (for whatever reason) simply do not return to our office. Notices not picked up within 30 days will be destroyed.

### *What to expect after you file in Justice Court.*

If papers are filed through court prior to noon, this office should receive a signed court order the same day. Notice will be posted the next business day and we will lock-out property the following business day. Locks must be changed at the time the deputy puts the seal on the door. Deputy will contact you between 9:00 a.m. - 10:00 a.m. the day of the scheduled lock-out to set-up a time to meet. If you are not available, the eviction **CAN NOT BE COMPLETED OR POSTPONED.**

If tenant contests notice, Justice Court will contact you. If you have questions regarding this matter, contact Justice Court (702-455-7800). If Justice Court informs you to file your paperwork, you will need to come to Constable's Office to pick-up a copy of your NOTICE to take to Justice Court for filing. Justice Court fee is \$46.00--You *DO NOT* need to return to our office until after your court date.

***What to do after court.***

If Judge orders eviction, immediately bring Instructions to Constable's Office and pay lock-out fee. Order will be posted the next business day after we receive it and lock-out the day after posting.

If Judge gives tenant a day and time to pay or vacate, you must call the court. At that time ask them to forward the order to Constable's Office.

You will need to bring the "Instructions to the Constable" to our office and pay lock-out fees.

If court kept your instructions, you need to go there first to pick them up. It is suggested you pay for lockout fees **ONLY** after you know the tenant is not going to abide by the Judge's instructions.

***After Eviction Is Completed.***

When an eviction is completed, the Landlord must store the tenants property for 30 days. They may not charge back rent, but can charge a reasonable storage fee. The tenant has to make arrangements with the Landlord to pick up their property. The Landlord has to notify the tenant in writing, **prior to the last 14 days**, by **CERTIFIED MAIL**, that he is disposing the property after the time has lapse.

***Cancel Lockout.***

It is suggested, if someone moves out, go ahead with the eviction process to avoid any problems that may arise if tenant tries to move back in.

***Cancel Eviction/tenant paid.***

When deputy calls to follow-up with the lock-out, inform him that tenant has paid and no eviction will be necessary. Constable's Office can not accept cancellation of evictions over the telephones or fax.

***Order to Rescind.***

Order to rescind must be done in Justice Court then brought to Constable's Office for lock-out fees refund. Order must be in this office the day before action is to be taken or Constable's Office will be unable to refund. If posting has already been done and you file order to rescind the day before lock-out, only ½ of refund will be issued. If you cancel

eviction with Deputy Constable, then change your mind, you will have to start eviction process from the beginning.

Once order is received from Justice Court and lock-out fees are paid, we MUST proceed the next business day. NO EXCEPTIONS. Failure to follow this procedure will result in the eviction being canceled and you will have to start the eviction process from the beginning.

***What to do with tenant's belongings left behind.***

You are liable for their belongings for 30 days from day of lock-out. You may charge a reasonable storage fee, but cannot hold the property for the rent that was due. If you choose, you may contact a storage company to have tenant's property inventoried and stored.

***After reading the above information, if you are still unsure how to proceed, you may contact an attorney for legal advice.***

North Las Vegas Constable's Office  
2428 Martin Luther King Blvd  
N. Las Vegas, NV 89030  
702-455-7800/FAX 702-399-3099  
Hrs: 8:00 a.m. - 4:45 p.m. (M-F) Closed 11:30 a.m. to 12:30 a.m.

North Las Vegas Justice Court  
2428 Martin Luther King Blvd  
N. Las Vegas, NV 89030  
702-455-7801  
Hrs: 8:00 a.m. - 5:00 p.m. (M-F)

Legal Services  
530 S 6th Street  
Las Vegas, NV 89101  
702-383-6095

Nevada Legal Services  
800 South 8th Street  
Las Vegas, NV 89101  
702-386-1070